



House of Representatives

General Assembly

File No. 789

January Session, 2011

Substitute House Bill No. 6391

House of Representatives, May 11, 2011

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING OFFENDER RISK REDUCTION EARNED CREDITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2011*) Notwithstanding any
2 provision of the general statutes, the Commissioner of Correction shall
3 establish an incentive plan for inmates to earn credit toward achieving
4 a reduction of their sentence and an early release from incarceration.
5 The incentive plan shall provide for the earning of such credit by
6 compliance with the inmate's accountability plan, good conduct,
7 obedience to the rules and participation in programs that will prepare
8 the inmate to return to the community. The commissioner shall adopt
9 policies and procedures to determine the amount of credit that an
10 inmate may earn toward a reduction in his or her sentence.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2011</i>	New section
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APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Correction, Dept.	GF - Implements the Budget	(9,815,752)	(32,003,692)
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Implements the Budget	(597,492)	(1,928,773)

Note: GF=General Fund

Municipal Impact: None

Explanation

Savings, in the amount of \$9.8 million in FY 12 and \$32.0 million in FY 13, have been included under the Department of Correction's budget within PA 11-6 (the FY 12-13 biennial budget) to reflect implementation of a sentence reduction credit program. Savings detailed below will be achieved in response to a reduced inmate population.

	FY 12	FY 13
Personal Services	(7,810,356)	(25,212,714)
Other Expenses	(1,034,566)	(3,550,886)
Inmate Medical Services	(970,830)	(3,240,092)
Fringe Benefits	(597,492)	(1,928,773)
TOTAL	(10,413,244)	(33,932,465)

Budgeted savings are based upon a five days per month credit, retroactive to April 1, 2006. An estimated 1,600 inmates would be

¹ The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated non-pension fringe benefit cost associated with personnel changes is 23.76% of payroll in FY 12 and FY 13. In addition, there could be an impact to potential liability for the applicable state pension funds.

eligible for release in the first year of implementation, with an additional 1,048 eligible in the second year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6391*****AN ACT CONCERNING OFFENDER RISK REDUCTION EARNED CREDITS.*****SUMMARY:**

This bill requires the Department of Correction (DOC) commissioner, regardless of other statutes, to create an incentive plan for inmates to earn credits to reduce their sentences and achieve an early release from prison. The plan must provide for earning credit by (1) complying with the inmate's accountability plan (see BACKGROUND), (2) good conduct, (3) obeying rules, and (4) participating in programs that prepare the inmate to return to the community. The commissioner must adopt policies and procedures to determine the amount of credit an inmate can earn to reduce a prison sentence.

EFFECTIVE DATE: July 1, 2011

BACKGROUND***Offender Accountability Plan***

DOC develops one of these plans for each sentenced offender to formulate treatment goals and program needs. The plan is used to assist the offender's reintegration into the community. It addresses treatment, educational, and vocational programs and safety and security issues, including behavioral expectations.

Legislative History

The House referred the bill (File 536) to the Appropriations Committee, which reported a substitute that eliminates the original bill's provisions allowing (1) the DOC commissioner to release an inmate sentenced for driving under the influence (DUI) or certain drug crimes to his or her residence subject to certain conditions and (2) as an

alternative to the one-year license suspension for a first DUI conviction, a three-month suspension followed by nine months when the offender may operate a motor vehicle only with an ignition interlock device.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 29 Nay 12 (03/30/2011)

Appropriations Committee

Joint Favorable

Yea 41 Nay 10 (04/26/2011)